

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

LYNCHBURG DIVISION

JOHN F. CORCORAN, CLERK  
BY: *Fay Coleman*  
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

ALPHONSA BURTON MILLER,

*Defendant*

CRIMINAL No. 6:07cr00006

ORDER and OPINION

JUDGE NORMAN K. MOON

This matter is before the Court on the Government's Motion for Continuance of Trial Date, filed on May 30, 2007 (docket entry no. 23). Defendant was charged in a three-count indictment with distribution of marijuana, possession with intent to distribute marijuana, and possession of a firearm by a felon. Trial is set for June 13, 2007.

The Government's reason for requesting a continuance, as stated in its motion, is that the parties "are engaged in plea negotiations" and that Defendant "has proffered a defense that has a direct bearing" on those negotiations. The Government requests additional time "to conduct further investigation" and argues that the additional time resulting from a continuance "may assist the parties in reaching a resolution to this matter."

These reasons, without more, however, are insufficient for me to find that the ends of justice served by granting a continuance outweigh the best interest of the public and Defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8)(A).

For the foregoing reasons, this motion is hereby DENIED.

It is so ORDERED. The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

ENTERED:

Nancy J. Mays  
United States District Judge

May 31, 2007  
Date